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2008 JUL -7 PM 5:09
CLERK US DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY  DEPUTY

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

HITUL GANDHI, individually, and on behalf of §
a class of others similarly situated,

Plaintiff,

v.

Case No. 1:08cv-00248-SS

DELL INC.,
and
DELL MARKETING USA L.P.,

Defendants.

SCHEDULING ORDER

Pursuant to Rule 16, Federal Rules of Civil Procedure, the Court issues the following Scheduling Order:

1. The parties shall complete all discovery related to Plaintiff's Anticipated Motion for Certification as a collective action under 29 U.S.C. §216(b) on or before October 24, 2008.
2. Plaintiff shall file his Motion for Certification under 29 U.S.C. §216(b) by November 3, 2008.
3. Defendants shall file their Response to the Motion for Certification under 29 U.S.C. §216(b) no later than December 4, 2008, or 30 days after the filing of Plaintiff's Motion, if the Motion is filed before November 3, 2008.
4. Plaintiff shall file his Reply, if any, no later than December 19, 2008, or 15 days after the filing of Defendants' Response, if the Motion is filed before November 3, 2008.

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Signed this 7th day of July, 2008.


UNITED STATES DISTRICT JUDGE

AGREED:

/s/ George A. Hanson
Attorney for Plaintiff, Hitul Gandhi

/s/ Jeffrey C. Londa
Attorney for Defendants, Dell Marketing U.S.A. LP and Dell Inc.

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